

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ADAM HACKETT,	:
	:
Plaintiff,	:
	:
v.	: C.A. No. 06-426 KAJ
	:
CORRECTIONAL MEDICAL SERVICES,	:
WARDEN THOMAS CARROLL and	:
COMMISSIONER STANLEY TAYLOR,	:
	:
Defendants.	:

**RESPONSE OF DEFENDANT CMS TO PLAINTIFF'S REQUEST  
FOR PRODUCTION TO ALL DEFENDANTS**

Defendant Correctional Medical Services, Inc., ("CMS") through its undersigned counsel, hereby submits the following responses and objections to Plaintiff's Request for Production as follows:

**GENERAL OBJECTIONS AND RESERVATION OF RIGHTS**

1. CMS objects to the Requests to the extent that they call for, or could be construed as calling for, information that is protected by the attorney-client privilege, the attorney-work-product doctrine, the right to privacy under applicable law, or any other applicable privilege, doctrine, or right. Any inadvertent production of information protected by any of these privileges, doctrines, or rights shall not be deemed a waiver of the protections that those privileges, doctrines, or rights afford.

2. CMS objects to the Requests to the extent that they request information not in their possession, custody or control.

3. CMS objects to the Requests to the extent that they are unduly burdensome, overly broad, and seek the production of information that is neither relevant to the issues in this action nor reasonably calculated to lead to the discovery of admissible evidence.

4. In providing responses to the Requests, CMS does not waive, and expressly reserves, all objections as to competency, relevancy, materiality, and admissibility of the responses and the subject matter thereof.

5. CMS objects to these Requests to the extent that they seek to impose obligations in excess of or different from those required by the Federal Rules of Civil Procedure.

6. CMS objects to the Requests to the extent that they seek information already in the possession of defendant and because the burden of deriving or ascertaining the answer would be the same, or greater, for defendant as for plaintiff.

7. CMS specifies that its responses are based upon knowledge, information, and belief that it has acquired to the present date and upon the present state of their preparation in connection with this action. Pursuant to the applicable provisions of the Federal Rules of Civil Procedure, CMS reserves the right to amend these responses, assert additional objections, clarify the objections or responses set forth herein and supplement their responses as it completes its review and preparation.

8. All general objections are hereby incorporated into each specific response.

OBJECTIONS AND RESPONSES TO REQUESTS

1. Plaintiff's complete prison records.

**RESPONSE: Objection.** This request is vague, overly broad and unduly burdensome and seeks information not reasonably calculated to lead to the discovery of relevant and/or admissible evidence. Subject to the foregoing objections and pursuant to Federal Rule of Civil Procedure 33(d), copies of plaintiff's medical records will be produced under separate cover letter once a confidentiality agreement has been executed by the parties. By way of further response and subject to the foregoing objections, answering defendant is not in possession of Plaintiff's prison records other than the medical records created during his incarceration.

2. Any and all medical records of Plaintiff from the time of his incarceration at Delaware Correctional Center through and including the date of your response to this request.

**RESPONSE: See response to request number 1.**

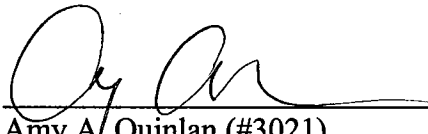
3. Dates and times Plaintiff left the prison to see outside doctor, name of doctor who saw and performed *[sic]* Plaintiff's surgery.

**RESPONSE: Objection.** This request is vague, overly broad and unduly burdensome and seeks information not reasonably calculated to lead to the discovery of relevant and/or admissible evidence. Subject to the foregoing objections, this information is contained in the medical records.

4. Names of DOC officers working 7-26-06 thru 8-6-06, the B tier in the MHU #22 building of the prison. For the 8 a.m.- 4.p.m. shift and the 4 p.m.-12 a.m. shift.

**RESPONSE: Objection. This request is vague, overly broad and unduly burdensome and seeks information not reasonably calculated to lead to the discovery of relevant and/or admissible evidence. In addition, the request seeks information not in respondent's possession, custody or control.**

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